(38)

HIGH COURT OF CHHATTISGARH AT BILASPUR

SINGLE BENCH : HON'BLE SHRI H.L. DATTU, C.J.

W.P.No.1221 of 2002

PETITIONER

Abdul Wahab,
S/o Late Abdul Gaffar,
Aged about 43 years,
Proprietor, New Raipur Roadways,
F.C.I. Road, Tarbahar
Bilaspur, Distt. Bilaspur (CG)

VERSUS

RESPONDENTS

1. Union of India,
Through the Secretary,
Railway Department,
New Delhi.

2. The Deputy Chief
Electrical Engineer (Constn.)
S.E. Railway, Bilaspur (CG)

Present: Shri P.K. Bhaduri, counsel for the petitioner.
Shri Bhishma Kinger, counsel for the respondents.

ORAL ORDER

(Passed on 13th March, 2007)

The petitioner is a transporter. According to him, he had done some work for the Railways. It is the grievance of the petitioner that the Railways have not discharged their liability towards the work done by the petitioner. Therefore, he is before this Court for a direction to the respondents to make payment to him forthwith and also to award compensation.

(2) The respondents are the authorities within the meaning of Article 12 of the Constitution of India. To maintain a petition against them, the liability should have been admitted by them and after such admission, if there is any default in payment, then a writ

39

petition under Article 226 of the Constitution of India would lie before this Court. In the instant case, the petitioner has not produced any document along with the petition to show that the respondents have admitted their liability. In the absence of such a document, it may not be proper for this Court to entertain this petition and direct the respondents to make payment to the petitioner.

(3) Therefore, I decline to entertain the petition. It is for the petitioner to approach the appropriate forum for appropriate relief. Accordingly, this writ petition is dismissed. Ordered accordingly.

Sd/-
Chief Justice